

BLD-259

May 31, 2007

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT
C.A. No. 06-5046

HENRY TEROIL ROLLIE

vs.

SUPERINTENDENT RAYMOND COLLERAN, ET AL.
(W.D. PA. CIV. NO. 05-CV-00132E)

Present: MCKEE, FUENTES and WEIS, CIRCUIT JUDGES

Submitted are

- (1) Appellant's request for a certificate of appealability under 28 U.S.C. § 2253(c)(1); and
- (2) Appellant's motion for appointment of counsel

in the above-captioned case.

Respectfully,

Clerk

ORDER

The foregoing application for a certificate of appealability is denied because Henry Teroil Rollie has not made a substantial showing of the denial of a constitutional right. See 28 U.S.C. § 2253. Jurists of reason would not debate the District Court's decision to deny his petition. See Miller-El v. Cockrell, 573 U.S. 322, 338 (2003) (citing Slack v. McDaniel, 529 U.S. 473, 484 (2000)). For the reasons stated by the District Court, some of Rollie's claims are procedurally defaulted and the rest are without merit. Rollie's motion for appointment of counsel is denied.

By the Court,

s/WEIS

United States Circuit Judge

Dated: June 19, 2007

smw/cc: Henry Teroil Rollie
Roger M. Bauer, Esq.



Marcia M. Waldron

Marcia M. Waldron, Clerk